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MARY L. SWAIN
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CLERK OF COURTSJUNIOR COURT OF COMMON PLEAS
BUTLER COUNTY, OHIO

Direction to Clerk:
 Serve upon all parties not in
 default for failure to appear,
 notice of this judgment and
 date of entry upon the journal.

STATE OF OHIO, *ex rel.*
 MICHAEL DEWINE,
 OHIO ATTORNEY GENERAL

CASE NO.

JUDGE

Plaintiff,

v.

AK STEEL CORPORATION, *et al.*

Defendants.

Final Appealable Order

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 MARY L. SWAIN
 BUTLER COUNTY
 CLERK OF COURTS

**CONSENT ORDER FOR INJUNCTIVE RELIEF AND CIVIL PENALTIES
 AND FINAL JUDGMENT ENTRY**

The State of Ohio, by its Attorney General ("Plaintiff"/"the State") and at the written request of the Director of the Ohio Environmental Protection Agency, has filed a Complaint seeking injunctive relief and civil penalties against Defendants AK Steel Corporation and AK Steel Holding Corporation for violations of Ohio's air pollution laws under R.C. Chapter 3704, the rules adopted thereunder, and their Title V air pollution permits concerning Defendants' iron and steel manufacturing facility located at 1801 Crawford Street, Middletown, Butler County, Ohio 45043. Plaintiff and Defendants have consented to the entry of this Order.

Therefore, without trial, admission, or determination of any issue of fact or law and with the consent of the Parties hereto, it is ORDERED, ADJUDGED, AND DECREED:

I. DEFINITIONS

1. As used in this Order, the following terms are defined:

- a. "Defendants" mean AK Steel Corporation and AK Steel Holding Corporation (collectively "AK Steel").

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- b. "Director" means the Director of the Ohio Environmental Protection Agency ("Ohio EPA") or his designee(s), which includes, but is not limited to, the Southwest Ohio Air Quality Agency ("SWOAQA"), a contractual agent of Ohio EPA, pursuant to R.C. 3704.111 and 3704.112.
- c. Emissions units are described in Permit to Operate P0105157 and defined as follows:
 - i. "Coke ovens" means the 76-oven coke battery that produces coke and various coke byproducts, identified by emissions unit number B918;
 - ii. "Coke oven quench tower" means the tower that quenches the hot coke, identified by emissions unit P043;
 - iii. "Blast furnace" means the furnace that produces hot metal, identified by emissions unit P925;
 - iv. "Basic oxygen furnaces" mean the two basic oxygen furnaces that produce molten steel, identified by emissions units P926 and P927.
- d. "Facility" refers to Defendants' iron and steel production facility located at 1801 Crawford Street, Middletown, Butler County, Ohio 45043.
- e. "Order" refers to this Consent Order.
- f. "Operation and Maintenance Plan" means the plans required by 40 CFR 63.7800(b) for emissions units P925, P926, and P927 and 40 CFR 63.7300 (b)&(c) for emissions unit B918.
- g. "Parties" mean Plaintiff, the State of Ohio, and Defendants.
- h. "Permit" and "Title V Permit" mean the Permit to Operate P0105157 issued by Ohio EPA to Defendants for the Facility, with an effective date of October 10, 2017.
- i. "Person" means an individual, public or private corporation, business trust, estate, trust, partnership, association, federal government or any agency thereof, municipal corporation or any agency thereof, political subdivision or any agency

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thereof, public agency, interstate body created by compact, any other entity, and other officers, agents, employees, attorneys, and/or those in active concert or participation with any of them.

- j. "Preventative Maintenance and Malfunction Abatement Plan" means the plan Defendants developed on August 23, 2013 pursuant to Ohio Adm.Code 3745-15-06(D).
- k. "State" means Plaintiff, the State of Ohio, including the Director, Ohio Environmental Protection Agency, or the Ohio Attorney General on behalf of the State, or any State entity.
- l. "Written" or "writing" means a paper copy or a saved, stored, or transmitted electronic copy.
- m. "Work Practice Plan" means the plan required by 40 CFR 63.306(a) for emissions unit B918.

II. JURISDICTION AND VENUE

2. The Court has jurisdiction over the Parties and the subject matter of this action under R.C. 2307.382 and R.C. 3704.06. The Complaint states a claim upon which relief can be granted. Venue is proper in this Court. Defendants shall not challenge the Court's jurisdiction to enter or enforce this Consent Order.

III. PARTIES BOUND

3. Defendants are Delaware companies, registered as foreign corporations in Ohio. Defendant AK Steel Corporation is a wholly owned subsidiary of Defendant AK Steel Holding Corporation.

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4. This Order shall apply to and be binding only upon Defendants, and, to the extent consistent with Civ. R. 65(D), on their agents, officers, employees, contractors, assigns, successors in interest, and those persons acting in concert, privity, or participation with Defendants who receive actual notice of this Order whether by personal service, by public record filed in the county land record, or otherwise. Defendants shall provide a copy of this Consent Order to any successor in interest and to each key employee, consultant, or contractor employed to perform work referenced herein.

5. This Consent Order is in settlement and compromise of disputed claims, and nothing in this Consent Order is to be construed as an admission of any facts or liability.

6. If insolvency, bankruptcy, or other failure occurs, Defendants must pay the remaining unpaid balance of the total civil penalty.

IV. SATISFACTION OF LAWSUIT AND RESERVATION OF RIGHTS

7. Plaintiff alleges in its Complaint that Defendants are responsible for violations of the air pollution control laws of the State under R.C. Chapter 3704. Compliance with this Consent Order shall constitute full satisfaction of any civil liability of Defendants to Plaintiff for the claims alleged in Plaintiff's Complaint.

8. Nothing in this Consent Order shall limit the authority of the State to:
- a. Seek any legal or equitable relief or civil penalties from Defendants or any other appropriate person for any claims or violations not alleged in the Complaint;
 - b. Seek any legal or equitable relief or civil penalties from Defendants or any other appropriate person for claims, conditions, or violations that arise after the entry of this Consent Order;

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- c. Enforce this Consent Order through a contempt action or otherwise seek relief for violations of this Consent Order; and/or
 - d. Take any future action against any appropriate person, including Defendants, to eliminate or mitigate conditions at the Facility that may threaten public health or welfare or to the environment.
9. This Consent Order does not waive, abridge, settle, compromise, or otherwise impact any other claims in law or equity that the State may have against Defendants.
10. Except for the signatories to the Consent Order, nothing in this Consent Order shall constitute or be construed as satisfaction of civil liability, a covenant not to sue, and/or a release regarding the claims alleged against any person not a signatory to this Consent Order for any liability such non-signatory may have arising out of matters alleged in the Complaint. The State also specifically reserves its right to sue any entity that is not a signatory to this Consent Order.
11. This Consent Order is not a permit, or a modification of any permit, under any federal, State, or local laws or regulations. Nothing in this Consent Order shall relieve Defendants of the obligation to comply with applicable federal, state, or local statutes, regulations, rules, or ordinances, and Defendants' compliance with this Consent Order shall be no defense to any action commenced pursuant to any such laws, regulations, or permits, except as set forth herein.
12. Nothing herein shall restrict the right of Defendants to raise any administrative, legal, or equitable defense with respect to such further actions reserved by the State in this Section. However, with respect to the actions reserved by the State in this Section, Defendants shall not assert and/or maintain, any defense or claim of waiver, *res judicata*, collateral estoppel, issue preclusion, claim splitting, or other defenses based on any contention that Plaintiff's claims in

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any subsequent judicial or administrative proceeding could or should have been brought in this case.

13. This Consent Order shall not be construed to create rights in, or grant any cause of action to, any third party, not a party to this Consent Order.

V. PERMANENT INJUNCTION

14. Defendants are ordered and permanently enjoined to comply fully with R.C. Chapter 3704, the rules adopted, and permits issued thereunder.

15. Defendants are ordered and enjoined to do the following:

- a. Defendants shall install anti-slopping oxygen lance technology at basic oxygen furnaces P926 and P927 within 60 days of entry of this Consent Order. Defendants shall commission and tune the anti-slopping oxygen lance technology within one year of installation. No later than 180 days after completion of the commissioning and tuning of the anti-slopping oxygen lance technology, AK Steel shall prepare and submit to Ohio EPA an engineering report on the effectiveness of the anti-slopping oxygen lance in minimizing uncontrolled particulate emissions over the first year of its operation. Upon acceptance of the report by Ohio EPA, Defendants shall, if necessary, update the Operation and Maintenance Plan required by 40 CFR 63.7800(b) for P926 and P927 to reflect the findings noted in the engineering report.
- b. Defendants shall hire an independent third-party engineering firm, approved by Ohio EPA, to conduct an engineering analysis of the set points of the tap and charge hood dampers at basic oxygen furnaces P926

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and P927 to optimize control of the particulate emissions during blowing operations. This analysis shall be submitted within 180 days of entry of this Consent Order. Upon acceptance of the analysis by Ohio EPA, Defendants shall, if necessary, update the Operation and Maintenance Plan required by 40 CFR 63.7800(b) for P926 and P927 to reflect the new set point parameters for the tap and charge hood dampers.

- c. Within 30 days of entry of this Consent Order and continuing until Defendants implement the video camera evaluations in Paragraph 15.d, Defendants shall conduct certified visible emissions observations of the roof of the basic oxygen furnaces (BOF) P926 and P927 using Method 9, for a minimum of two hours per week. The observations must include two complete heats. The emissions observations must be recorded as they are made, with observations recorded at fifteen second intervals. If any exceedance of visible emission standards is observed at the BOF roof, Defendants shall conduct a root cause investigation into the cause of the exceedance. This root cause analysis shall include recommended corrective actions to minimize roof emissions. Defendants shall submit, in writing, quarterly reports within thirty days after the end of each calendar quarter (i.e., March 31, June 30, September 30, and December 31) to Ohio EPA identifying the results of any required root cause investigations. Upon acceptance of the analysis by Ohio EPA, Defendants shall, if necessary, update the Operation and Maintenance Plan required by 40 CFR 63.7800(b) for P926 and P927.

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- d. Within 120 days of entry of this Consent Order and continuing for 18 months, Defendants shall install a high-definition camera capable of recording video of particulate emissions from the BOF roof. Defendants shall thereafter video record 6 hours of BOF roof emissions daily unless technical circumstances beyond the reasonable control of Defendants prevent recording. On a weekly basis, Defendants shall evaluate the video for each day and based on its reasonable engineering judgment, determine whether any particulate emissions identified on the video could have had the potential to result in an exceedance of an applicable opacity limit from the BOF roof (an "Emissions Event"). Defendants shall maintain a record identifying that it has reviewed the video for a particular day, and who conducted the review. For each Emissions Event, Defendants shall record the date, time and description of the event. Defendants shall analyze the root cause of any Emissions Event. Defendants shall maintain the video of each day for 30 days, and make it available for review at the Facility by Ohio EPA and SWOAQA upon request. Defendants shall submit, in writing, quarterly reports within thirty days after the end of each calendar quarter (i.e., March 31, June 30, September 30, and December 31) of each calendar year to Ohio EPA identifying the date, time and description of each Emissions Event, and the results of any required root cause investigations. Upon acceptance of the analysis by Ohio EPA, Defendants shall, if necessary, update the Operation and Maintenance Plan required by 40 CFR 63.7800(b) for P926 and P927.

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- e. Within 30 days of entry of this Consent Order and continuing for one year thereafter, Defendants shall analyze the root cause of any burden slips for blast furnace P925 when there are more than four burden slips in any rolling 30-day period that exceed the Title V permit emissions limit of 73.8 pounds of particulate emissions per hour from the bleeder valve stacks. This root cause analysis shall include, if applicable, recommended corrective actions to minimize burden slips. Defendants shall submit, in writing, quarterly reports within thirty days after the end of each calendar quarter (i.e., March 31, June 30, September 30, and December 31) to Ohio EPA identifying the results of any required root cause investigations. Upon acceptance of the analysis by Ohio EPA, Defendants shall, if necessary, update the Preventative Maintenance and Malfunction Abatement Plan for P925 with the identified corrective action.
- f. Defendants shall comply with the Risk and Technology Review amendments for the Coke Ovens: Pushing, Quenching and Battery Stacks: National Emission Standards for Hazardous Air Pollutants (40 CFR Part 63 Subpart CCCCC) and the Integrated Iron and Steel Manufacturing: National Emission Standards for Hazardous Air Pollutants (40 CFR Part 63 Subpart FFFFF) upon final promulgation and effectiveness.
- g. Within 45 days of entry of this Consent Order and continuing for two years thereafter, Defendants shall implement and maintain a motor vehicle and home exterior cleaning program for the residents of Middletown and Monroe, Ohio living near the facility that shall include, at a minimum:

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i. Washing of any motor vehicle owned, leased or rented by residents living near the facility, which motor vehicle, upon inspection, is determined to be affected by the deposition of particulate matter, as defined by Ohio Adm.Code 3745-17-01(B)(13), as a result of Defendants' operation of sources B918, P043, P925, P926, and/or P927. Upon request by a resident as provided in Exhibit A, Defendants are enjoined and ordered to provide the resident, within a reasonable time, either one of the following at Defendants' sole discretion: (1) a voucher or coupon for a free wash from a third party or (2) full monetary reimbursement for wash services rendered upon proof of payment.

ii. Annual power washing of the exterior of any house owned, leased or rented by residents living near the facility, which house, upon inspection, is determined to be affected by the deposition of particulate matter, as defined by Ohio Adm. Code 3745-17-01(B)(13), as a result of Defendants' operation of sources B918, P043, P925, P926, and/or P927. Upon request by an owner as provided in Exhibit A, Defendants are enjoined and ordered to provide the resident, within a reasonable time, either one of the following at Defendants' sole discretion: (1) the wash service directly, (2) a voucher or coupon for a free wash from a third party, or (3) full monetary reimbursement for wash services rendered upon proof of payment.

iii. Defendants shall submit, in writing, quarterly reports within sixty days after the end of each calendar quarter (i.e., March 31, June 30, September 30, and December 31) of each calendar year to Ohio EPA. The first report due from Defendants is for the quarter ending 120 days after entry of the Consent Order. Each report shall include the number of requests filed, the date(s) of each request, Defendants determination of whether or not each request is justified, a description of how Defendants reached their conclusion, the amount paid or services rendered for each justified request, the time it took for Defendants to first respond and to resolve each request and the total of all money paid out during the quarter. A written report is required even for the periods during which no claims were filed.

iv. Defendants shall immediately commence and continue a complaint response system with defined corrective action procedures and having the minimum elements as set forth in Exhibit A to this Consent Order. The parties acknowledge that the complaint response system described in Exhibit A may be subject to modifications from time-to-time due to presently unforeseen concerns. Defendants agree to meet with Ohio EPA as necessary,

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by telephone conference or otherwise, to discuss any concerns that may be identified by Ohio EPA or SWOAQA. Any modifications to the complaint response system may be subject to input from Ohio EPA or SWOAQA and shall be subject to the written mutual consent of the parties, which mutual consent shall in good faith not be unreasonably withheld by either party. Defendants agree to make agreed modifications promptly. If the parties do not mutually consent to modify the complaint response system within five (5) days after either party is notified of the other party's concern about the system, then either party may petition this Court to review the complaint response system to determine whether the system provides reasonably prompt and effective service to affected residents with legitimate concerns, and to order Defendants to modify the complaint response system as the Court in its discretion believes is necessary to achieve such service.

v. Defendants shall, within five days after making such determination, notify a resident in writing of any determination that Defendants are not going to wash, give a voucher or coupon, or reimburse in accordance with Paragraph 15.g in response to a resident's request.

h. Defendants shall hire an independent third party contractor, approved by Ohio EPA, to perform an engineering assessment on coke oven B918 and coke oven quench tower P043. At a minimum this assessment shall include:

- i. An inspection of all coke oven doors to ensure their proper fit, seal, and physical condition;
- ii. An inspection of all topside port lids/charging hole lids to ensure their proper fit, seal, and physical condition;
- iii. An inspection of the offtake systems/piping to ensure adequate air flow to collect emissions and an inspection to ensure the offtake system/piping are free of blockages;
- iv. An inspection and analysis of the coke oven quench tower P043, its baffles, and the current quench tower cleaning and maintenance plan;
- v. Conduct 10-days of visible emission evaluations (Methods 303 and Method 9) for each visible emission limitations specified in the Facility's Title V Operating Permit for B918.

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Defendants shall hire the independent third party contractor for this project within 100 days of entry of the Consent Order. The 10-day visible emission evaluation shall be complete and submitted to Ohio EPA within 180 days of entry of the Consent Order. The final results of the engineering assessment shall be submitted to Ohio EPA within 365 days of entry of the Consent Order. This engineering analysis shall include a plan of corrective actions, if applicable, to minimize emissions from B918 and P043. Upon acceptance of the plan by Ohio EPA, Defendants shall, if necessary, update the Work Practice Plan and the Operation and Maintenance Plans required by 40 CFR 63.306(a) and 40 CFR 63.7300 (b)&(c) for B918 and P043 to reflect any changes in operation identified in the engineering assessment.

VI. CIVIL PENALTY

16. Under R.C. 3704.06(C), Defendants are ordered and enjoined to pay a civil penalty of one hundred and fifty thousand dollars (\$150,000.00), subject to the provisions set forth in Paragraphs 17 through 18. Full payment shall be made within thirty (30) days of entry of this Consent Order. Such payment shall be made by delivering to Scott Hainer, Paralegal, or his successor, Office of the Attorney General, 30 E. Broad St., 25th Floor, Columbus, Ohio 43215, a certified check in the amount of \$50,000 payable to the order of "Treasurer, State of Ohio" and by delivering to Kerri Castlen, Southwest Ohio Air Quality Agency, 250 William Howard Taft Rd, Cincinnati Ohio, 45219 a certified check in the amount of \$100,000 payable to the order of "Treasurer of Hamilton County."

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17. If full payment is not paid as required in Paragraph 16 above, the remaining unpaid balance plus applicable interest under R.C. 131.02(D), less any amount already paid under this Order, shall become immediately due and owing. Any delinquent payments shall accrue interest at the maximum statutory rate under R.C. 5703.47 calculated from the Effective Date of this Order.

18. The State reserves the right to file a certificate of judgment lien against Defendants for the remaining unpaid balance of the total civil penalty, plus applicable interest per Paragraph 17 above, if the full payment is not paid as required in Paragraph 16 above. Defendants shall not be permitted to claim a force majeure as an excuse for any untimely payment or partial payment of an amount less than that specified in Paragraph 16.

19. If any Defendant files for bankruptcy, the State of Ohio reserves the right to file a certificate of judgment lien against the other, non-filing Defendant, for the remaining unpaid balance of the total civil penalty, plus applicable statutory interest.

VII. STIPULATED PENALTIES

20. If Defendants fail to comply with any of the requirements of Paragraph 15 of this Order, Defendants shall immediately and automatically be liable for and shall pay stipulated penalties under the following schedule:

- a. Defendants shall pay two hundred and fifty dollars (\$250.00) per day for each day any requirement of this Consent Order is violated, up to the first thirty (30) days of violation;
- b. For each day any requirement of this Consent Order is violated between thirty (30) days and ninety (90) days of violation, Defendants shall pay five hundred dollars (\$500.00) per day;
- c. For each day any requirement of this Consent Order is violated greater than (90) days of violation, Defendants shall pay seven hundred dollars (\$700.00) per day.

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21. Stipulated penalties due under this Consent Order shall be immediately due and owing without written demand by the State and shall be paid by certified check or money order, payable to "Treasurer, State of Ohio" and delivered to Scott Hainer or his successor, Paralegal, at the Office of the Ohio Attorney General, Environmental Enforcement Section, 30 East Broad Street, 25th Floor, Columbus, Ohio 43215.

22. Defendants' payment and Plaintiff's acceptance of such stipulated penalties under this Section shall not be construed to limit Plaintiff's authority, without exception, to seek: 1) additional relief under R.C. Chapter 3704, including civil penalties under R.C. 3704.06; 2) judicial enforcement of this Order for the same violations for which a stipulated penalty was paid; or 3) additional civil, criminal, or administrative sanctions or remedies for violations of applicable laws or rules.

VIII. FACILITY ACCESS

23. As of the date of entry of this Consent Order, Ohio EPA and its representatives and contractors shall have access at reasonable times to the Facility, and shall have access to any other property controlled by or available to Defendants to which access is necessary to effectuate the actions required by this Consent Order. Access shall be allowed for the purposes of conducting activities related to this Consent Order including but not limited to:

- a. Monitoring the work or any other activities taking place at the Facility;
- b. Verifying any data or information submitted to Ohio EPA;
- c. Conducting investigations relating to violations at or near the Facility;
- d. Obtaining samples;
- e. Assessing the need for, planning, or implementing additional response actions at or near the Facility;

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- f. Inspecting and copying records, operating logs, contracts or other documents maintained or generated by Defendants or their agents, consistent with this Consent Order and applicable law; or
- g. Assessing Defendants' compliance with this Consent Order.

24. Nothing in this Consent Order shall be construed to limit the statutory authority of the Director or his authorized representatives to enter at reasonable times upon the Facility or any other private or public property, real or personal, to inspect or investigate, obtain samples and examine or copy any records to determine compliance with R.C. Chapter 3704.

IX. SUBMITTAL REQUIREMENT

25. Unless otherwise specified in this Order, all notices, designs, evaluations, plans and/or other documents of any kind that are required to be submitted to Ohio EPA pursuant to this Order shall be sent to: ATTN: Brad Miller (brad.miller@hamilton-co.org), or his successor, Assistant Director, Southwest Ohio Air Quality Agency, 250 William Howard Taft Road, Cincinnati, Ohio 45219; and ATTN: Jim Kavalec (james.kavalec@epa.ohio.gov), or his successor, Enforcement Program Manager, Division of Air Pollution Control, Central Office, Ohio Environmental Protection Agency, 50 W. Town St, Suite 700, P.O. Box 1049, Columbus, Ohio 43216.

X. COMPLIANCE NOT DEPENDENT ON GRANTS OR LOANS

26. Performance of the terms of this Consent Order by Defendants is not conditioned on the receipt of any private, federal or state grants, loans, and/or funds. In addition, Defendants' performance is not excused by failing to obtain, or any shortfall of, any private, federal or state grants, loans and/or funds or by the processing of any applications for the same.

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XI. EFFECT OF CONSENT ORDER

27. This Consent Order does not constitute authorization or approval of the construction, installation, modification, or operation of any air contaminant source, source operation, or any building, structure, facility, facility component, operation, installation, disposal or storage site, other physical facility, or real or personal property that emits or may emit any air pollutant or air contaminant not previously approved by Ohio EPA, under the Clean Air Act, or by a permitting authority or its delegates. Approval for any such construction, installation, modification, or operation shall be by permit issued by Ohio EPA or other such permits as may be required by applicable federal, state, or local laws, rules, or regulations.

XII. MODIFICATION

28. No modification shall be made to this Consent Order without the written agreement of the Parties and the Court.

XIII. POTENTIAL FORCE MAJEURE

29. With respect to the operation of Section VII (Stipulated Penalties) and in any action by Plaintiff to enforce any of the provisions of this Consent Order, except for any provision in Section VI (Civil Penalty) above, Defendants may raise that they are entitled to a defense that their conduct was caused by reasons entirely beyond their control such as, by way of example and not limitations, acts of God, strikes, acts of war or civil disturbances. While Plaintiff does not agree that such a defense exists, it is, however, hereby agreed upon by Defendants and Plaintiff that it is premature at this time to raise and adjudicate the existence of such a defense and that the appropriate point at which to adjudicate the existence of such a defense is at the time that an enforcement or collection action, if any, is commenced by the Plaintiff. At that time, Defendants will bear the burden of proving that any delay was or will be caused by circumstances entirely beyond the control of Defendants. Unanticipated or increased costs

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associated with the implementation of any action required by this Consent Order, or changed financial circumstances, shall not constitute circumstances entirely beyond the control of Defendants or serve as a basis for an extension of time under this Consent Order.

30. Defendants shall be prohibited from raising any force majeure defense if Defendants fail to notify Ohio EPA in writing as set forth in this Paragraph 30 of the reasons upon which the purported defense is based. Defendants shall provide such written notice to Ohio EPA within fourteen (14) days from when Defendants knew, or by the exercise of due diligence should have discovered such reasons, describing in detail the anticipated length of delay, the precise cause or causes of delay, the measures taken and to be taken by the Defendants to prevent or minimize the delay, and the timetable by which measures will be implemented. Defendants will adopt all reasonable measures to avoid or minimize such delay. It shall be the option of Plaintiff to construe the failure to provide timely notice as a waiver of Defendants' right to request an extension of its obligations under this Consent Order based on such incident. An extension of one date based on a particular incident does not mean that Defendants qualify for an extension of a subsequent date or dates. Defendants must make an individual showing of proof regarding each incremental step or other requirement for which an extension is sought.

XIII. MISCELLANEOUS

31. Any acceptance by the State of any payment, document, or other work due subsequent to the time that the obligation is due under this Consent Order shall not relieve Defendants from the obligations created by this Consent Order.

32. Defendants shall inform Ohio EPA of any change in their Registered Agents' addresses and business addresses or telephone numbers, or the cessation of the business that is the subject of this action.

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XIV. RETENTION OF JURISDICTION

33. This Court shall retain jurisdiction for the purpose of administering and enforcing this Consent Order. Termination of any or all of the provisions of this Consent Order may be granted upon a joint motion of the parties.

34. Defendants may move to terminate this Consent Order pursuant to Ohio Rule of Civil Procedure Rule 60(B), provided that all of the following are satisfied:

- a. The motion is filed no earlier than two years after Defendant has completed all the tasks specified in Section V of this Consent Order;
- b. Defendants have paid all stipulated penalties that may be due and owing under this Consent Order;
- c. Defendants have paid all parts of the civil penalty, interest, and/or costs that are due and owing under this Consent Order;
- d. Defendants have substantially complied with R.C. 3704, the rules adopted thereunder, and Section V of this Consent Order for two consecutive years.

Plaintiff takes no position with regard to such motion at this time and reserves its right to oppose the motion.

XV. ENTRY OF CONSENT ORDER AND FINAL JUDGMENT BY CLERK

35. Under Rule 58 of the Ohio Rules of Civil Procedure, upon signing this Consent Order by the Court, the Clerk is directed to enter it upon the journal. Within three (3) days of entering the judgment upon the journal, the Clerk is directed to serve upon all Parties notice of the judgment and its date of entry upon the journal in the manner prescribed by Civ.R. 5(B) and note the service in the appearance docket. The failure of the Clerk to serve notice does not affect the validity or effectiveness of this Consent Order.

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XVI. EFFECTIVE DATE

36. This Consent Order shall be effective upon the date of its entry by the Court.

XVII. COURT COSTS

37. Defendants are ordered to pay all court costs of this action.

XVIII. AUTHORITY TO ENTER INTO THE CONSENT ORDER

38. Each signatory represents and warrants he or she has been duly authorized to sign this document and is fully authorized to agree to its terms and conditions, and, in the case of a person signing on behalf of a corporate entity, may so legally bind the corporate entity to all terms and conditions in this document.

IT IS SO ORDERED.

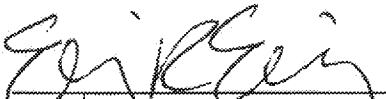
JUDGE

DATE

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I CERTIFY THE WITHIN TO BE A
 TRUE COPY OF THE ORIGINAL FILED
 12/19 2017
 MARY L. SWAIN
 Butler County Clerk of Courts
 Deputy

EXHIBIT A**Complaint Response System**

1. Residents of Middletown and Monroe, Ohio living near the facility who believe that they have been affected by fugitive dust emissions as a result of AK Steel's operations may call toll-free at 1-888-215-1955 and leave a recorded message.
2. A representative will make all reasonable efforts to establish initial contact with the resident within three (3) business days.
3. During the initial contact, an inspection appointment with the representative and the resident will be scheduled at a mutually convenient time, typically with seventy-two (72) hours of initial contact.
4. Within a reasonable time period, following the inspection appointment, the representative will make a determination whether the complaint is justified and immediately make all arrangements with the resident for providing services.

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MARY L. SWAIN
Butler Co. Clerk of Courts

Deputy